

EXHIBIT 28

IN THE U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JOANN LEDOUX, a single woman.

Plaintiff,

vs.

OUTLIERS, INC. (d/b/a THESIS, THESIS
NOOTRPICS, FIND MY FORMULA, and
FORMULA), a Delaware Corporation;
DANIEL FREED, individually; MATT
RUBIN, individually; BRAND
NUTRACEUTICALS, INC. (d/b/a BRAND
NUTRA), a New York Corporation; BRAND
PACKAGING GROUP, INC. (d/b/a BRAND
NUTRACEUTICALS), a New York
Corporation; and John and Jane Does 1-5.

Defendants.

No. 3:24-cv-05808-TMC

**PLAINTIFF'S MOTION FOR
SANCTIONS AGAINST
DEFENDANTS' OUTLIERS, INC., AND
DANIEL FREED, INDIVIDUALLY,
THESIS' COUNSEL, JEREMY ROLLER
AND THESIS' FORMER COUNSEL,
STUART KAPLAN**

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PLAINTIFF'S MOTION FOR SANCTIONS - i
No. 3:24-cv-05808-TMC

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1 **I. PRAYER FOR RELIEF**

2 COMES NOW the above-named plaintiff, by and through her attorneys of record,
 3 Jocelyn C. Stewart, of **Law Office of Jocelyn C Stewart, Corp.** and Talis Abolins of **mctlaw**;
 4 and moves this Honorable Court to impose sanctions against Thesis' Defendants, Mr. Daniel
 5 Freed, individually, and their counsel, Mr. Jeremy Roller, and Thesis' Defendants' former
 6 counsel, Mr. Stuart Kaplan, pursuant to Rule 11 of the Federal Rules of Civil Procedure.
 7

8 **II. BURDEN OF PROOF**

9 Federal Rule of Civil Procedure 11 imposes an affirmative duty on attorneys and parties
 10 to ensure that all pleadings, motions, and other papers filed with the court are well-grounded in
 11 fact, legally tenable, and not filed for an improper purpose. Rule 11(b) requires that, prior to
 12 filing, counsel must conduct an inquiry reasonable under the circumstances to verify the factual
 13 and legal bases of their submissions.

14 The burden of proof rests with the moving party to demonstrate by a preponderance of
 15 the evidence that the opposing party violated Rule 11. *Business Guides, Inc. v. Chromatic*
 16 *Communications Enterprises, Inc.*, 498 U.S. 533, 551 (1991). The standard for imposing
 17 sanctions is objective reasonableness — that is, whether a competent attorney, after reasonable
 18 inquiry, would have found the claim to be legally and factually unsupported at the time of filing.
 19 *Christian v. Mattel, Inc.*, 286 F.3d 1118, 1127 (9th Cir. 2002). Although Rule 11 applies both to
 20 parties and their counsel, attorneys are held to a heightened standard of professional
 21 responsibility, requiring reasonable legal and factual inquiry before filing. *Business Guides, Inc.*,
 22 498 U.S. at 551. Parties who personally sign declarations or pleadings likewise bear
 23 responsibility for ensuring the factual accuracy of their representations under an objective
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1 reasonably standard. Importantly, subjective good faith is not a defense under Rule 11; the
2 inquiry focuses on whether the conduct was objectively reasonable under the circumstances.

3 An appellate court “review[s] the district court's decision to impose Rule 11 sanctions
4 and the amount imposed for abuse of discretion. *Christian v. Mattel, Inc.*, 286 F.3d 1118, 1126
5 (9th Cir. 2002), quoting *Cooter & Gell v. Hartmanx Corp.*, 496 U.S. 384, 401, 405, 110 L. Ed.
6 2d 359, 110 S. Ct. 2447 (1990). The district court's factual findings in support of the sanctions
7 will not be disturbed on appeal unless the appellate court determines that they were “clearly
8 erroneous.” *Id.* at 386. The district court's legal findings must be affirmed unless they result from
9 a “materially incorrect view of the relevant law.” *Id.* at 402.

11 **III. FACTS**

12 **A. Background**

13 OUTLIERS, INC. d/b/a THESIS, THESIS NOOTRIPICS, FIND MY FORMULA, and
14 FORMULA, (hereafter “THESIS DEFENDANTS”) sold a product to Plaintiff JOANN
15 LEDOUX from their website for “Find My Formula” nootropic supplement kits (hereafter
16 “Formula”). This is the product that THESIS DEFENDANTS marketed and shipped to
17 Plaintiff between March and September of 2021 (hereafter “Formula Product”). Plaintiff, an
18 Army major, was subject to random drug tests, and after consuming the Formula Product,
19 tested positive for Amphetamines after submitting a urine sample on August 16, 2021.

20 After suffering substantial losses and emotional injuries, the Plaintiff filed this suit
21 against the THESIS DEFENDANTS and the BRAND NUTRA DEFENDANTS.
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1 **B. First Motion to Dismiss – Compel Arbitration**

2 On November 13, 2024, Defendants Outliers, Inc. (d/b/a Thesis), Daniel Freed, and
3 Matt Rubin (collectively "Thesis Defendants") filed their first Motion to Compel Arbitration.
4 (Dkt. No. 14).

5 In support of their first Motion to Compel Arbitration, THESIS DEFENDANTS
6 submitted the sworn declaration of Daniel Freed, dated November 13, 2024. (Dkt. No. 15).

7 After Plaintiff filed our response, THESIS DEFENDANTS filed their Reply in support
8 of the first Motion to Compel Arbitration on December 15, 2024. In support of their reply,
9 THESIS DEFENDANTS filed a declaration from CartHook CEO, Ben Fisher, dated December
10 10, 2024. (Dkt. No. 29-1).

11 On February 18, 2025, this Court entered an Order denying the THESIS
12 DEFENDANTS' first Motion to Compel Arbitration. (Dkt. No. 39).

13 **C. Second Motion to Dismiss – Compel Arbitration**

14 On March 18, 2025, THESIS DEFENDANTS filed their Second Motion to Compel
15 Arbitration. (Dkt. No. 58).

16 In support of their second Motion to Compel Arbitration, THESIS DEFENDANTS
17 submitted sworn declarations from Daniel Freed (Dkt. No. 59) Maranda Lujajohnson (Dkt. No.
18 60), and Sameer Anand, dated March 18, 2025. Dkt. No. 61).

19 On March 24, 2025, Plaintiff served the Second Set of Rule 34 Requests for Production
20 directed at the Thesis Defendants, including specific requests concerning Sameer Anand and
21 Maranda Lujajohnson's employment records and compensation and requests related to
22 CartHook, website archives and backups, HTML code, and matters directly concerning the
23 contents of the checkout pages at issue. Plaintiff **Exhibit 1**.

1 On April 1, 2025, Plaintiff served the Third Set of Rule 34 Requests for Production
2 directed at the Thesis Defendants, including specific requests pertaining to equity stake in
3 Thesis for Sameer Anand and Maranda Lujajohnson. Plaintiff **Exhibit 2**.

4 On April 3, 2025, the Court held a Chambers hearing regarding pending discovery
5 disputes. The THESIS DEFENDANTS asked the Court to stay all discovery pending case-
6 dispositive motions. During this hearing, Plaintiff informed the Court and the parties that
7 Plaintiff has a 22-page declaration from an expert that refutes the claims of Mr. Freed, Ms.
8 Lujajohnson, and Mr. Anand about the CartHook checkout page at issue in the arbitration
9 litigation. The Court did not stay discovery concerning, *inter alia*, the arbitration litigation;
10 these matters relate to the declarations of Ms. Maranda Lujajohnson, Mr. Sameer Anand, Mr.
11 Dan Freed, and Mr. Ben Fisher. (Dkt. No. 78).

13 In Mr. Freed's second declaration, dated March 18, 2025, he claimed he reviewed
14 materials available on the Way Back Machine and that he personally approved the "terms and
15 conditions." Mr. Freed did not state he reviewed any back-ups from the website's archives.
16 (Dkt. No. 59).

17 In recent litigation with Recoop, LLC, Mr. Freed reviewed a video he created to obtain
18 assistance from Google customer service known as the "Loom Video." Plaintiff **Exhibit 3**.
19 This video is a screen-recording of his screen on January 22, 2020. In the video, Mr. Freed
20 navigates to the CartHook checkout page, which demonstrates there is no required checkbox
21 and there are no hyperlinked terms and conditions or medical waiver. Plaintiff **Exhibit 4**.

23 Plaintiff served a notice of intent to file Subpoenas on April 8, 2025, dated for service
24 on April 18, 2025, to Affiants, Ms. Lujajohnson (Plaintiff **Exhibit 5**) and Mr. Anand (Plaintiff

1 **Exhibit 6)**, through their counsel of record, Mr. Houghton, lead counsel for the THESIS
2 DEFENDANTS.

3 Following the parties' April 3, 2025, Chambers hearing, on April 14, 2025, the Thesis
4 Defendants requested a copy of a 22-page declaration prepared by Plaintiff's expert, Mr.
5 Dustin Sanchez, which directly refuted the declarations of Mr. Freed, Mr. Fisher, Ms.
6 Lujajohnson, and Mr. Anand. Plaintiff **Exhibit 7**.

7 Plaintiff submitted her first Request for Production on THESIS DEFENDANTS on
8 March 3, 2025. The THESIS DEFENDANTS maneuvered to have the Chambers hearing on
9 April 3, 2025, the last date on which they would have been required to respond to Plaintiff's
10 first Request for Production. THESIS DEFENDANTS have not been required to respond to the
11 Plaintiff's Request for Productions served on March 3, 2025, March 24, 2025, and April 1,
12 2025, except for the request for their initial disclosures. (Dkt. No. 39).

13 THESIS DEFENDANTS were required to respond to the Plaintiff's Second Set of
14 Requests for Production on April 23, 2025. THESIS DEFENDANTS withdrew their Second
15 Motion to Compel Arbitration on April 23, 2025. (Dkt. No. 86). THESIS DEFENDANTS
16 responded to the Plaintiff's Second Set of Requests for Production on April 23, 2025, denying
17 each request, asserting that each is essentially mooted by their withdrawal. Plaintiff **Exhibit 8**.

18 The HTML code for 2020 and 2021 CartHook checkout pages contains no checkbox
19 and no hyperlinked terms and conditions or medical waiver. Plaintiff **Exhibit 9**. The evidence
20 that Mr. Dustin Sanchez relied on in analyzing the CartHook checkout pages demonstrates the
21 falsities of the declarations of Mr. Freed, Ms. Lujajohnson, and Mr. Anand. Plaintiff **Exhibit**
22 **10**. Mr. Sanchez performed this analysis after the filing of THESIS DEFENDANTS' second
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1 motion to compel arbitration. This is the declaration referenced during the April 3, 2025,
2 Chambers hearing.

3 Mr. Sanchez performed additional analysis upon receipt of the “Loom Video”. Plaintiff
4 **Exhibit 11.** The “Loom Video”, created by Mr. Freed on January 22, 2020, and reviewed by
5 Mr. Freed before he signed his declaration dated December 13, 2024, demonstrates he knew
6 his declarations were false. Upon information and belief, Mr. Freed procured the false
7 declarations of Ms. Lujajohnson and Mr. Anand, both of whom hold equity stake in Outliers,
8 Inc. dba Thesis.
9

10 Mr. Houghton, counsel for THESIS DEFENDANTS, objected to the subpoenas for Ms.
11 Lujajohnson and Mr. Anand. Mr. Houghton, counsel for THESIS DEFENDANTS, became
12 counsel for Ms. Lujajohnson and Mr. Anand.

13 Plaintiff re-issued the subpoenas for Ms. Lujajohnson and Mr. Anand. Plaintiff
14 **Exhibits 12, 13.**

15 Plaintiff requested on multiple occasions to schedule the depositions of Ms.
16 Lujajohnson and Mr. Anand. Plaintiff **Exhibit 14.**

17 Despite meeting and conferring about discovery, Mr. Houghton refused to meet and
18 confer about the depositions of Ms. Lujajohnson and Mr. Anand, stating they were non-parties.
19 Plaintiff **Exhibit 15.** Mr. Houghton also stalled, feigning that he needed clarification about the
20 scope of the depositions. Plaintiff **Exhibits 15, 16.**
21

22 Mr. Stuart Kaplan signed the first motion to compel arbitration on behalf of THESIS
23 DEFENDANTS. (Dkt. No. 14). This filing included Mr. Freed’s first false declaration. (Dkt.
24 No. 15). Mr. Jeremy Roller also signed the motion.
25

1 On March 18, 2025, Mr. Rick Houghton and Mr. Jeremy Roller signed the second
2 motion to compel arbitration on behalf of THESIS DEFENDANTS. (Dkt. No. 58).

3 On March 25, 2025, BRAND NUTRA DEFENDANTS joined THESIS
4 DEFENDANTS' Motion to compel arbitration. (Dkt. No. 67).

5 Mr. Stuart Kaplan withdrew as counsel for THESIS DEFENDANTS on March 25,
6 2025. (Dkt. No. 68).

7 On April 23, 2025, the Thesis Defendants also withdrew their discovery request for Mr.
8 Sanchez's 22-page declaration. Plaintiff **Exhibit 17**.

9 The THESIS DEFENDANTS have not withdrawn the first Motion to Compel
10 Arbitration, nor have they withdrawn the declarations of Daniel Freed and Ben Fisher filed in
11 support of that motion and reply to the Plaintiff's response. Those filings remain pending and
12 reviewable on appeal.

13 The sworn declarations submitted by Defendant, Mr. Freed, and on behalf of THESIS
14 DEFENDANTS, Mr. Fisher, Ms. Lujajohnson, and Mr. Anand, and relied upon by Defendants
15 in seeking to compel arbitration, contained objectively false assertions regarding the existence
16 of a required checkbox and hyperlinks at the time of Plaintiff's purchases on the
17 FindMyFormula website.

18 Plaintiff has since procured and are now providing extensive documentary and
19 technical evidence, including screenshots, website code, Wayback Machine captures, and
20 expert declarations, refuting the THESIS DEFENDANTS' representations. Plaintiff **Exhibits**
21 **4, 9, 10**.

22 According to Mr. Freed's "Loom Video" he always keeps a backup of his websites.
23 This would seem to include the archived CartHook checkout page.

1 According to Mr. Freed’s “Loom Video”, the CartHook checkout page did not contain
2 a required checkbox or hyperlinked terms and conditions, or medical waiver.

3 According to her own LinkedIn profile, Ms. Lujajohnson was not even working for
4 THESIS in “early 2020” when she claimed to have formed her familiarity with the CartHook
5 checkout page.

6 According to Mr. Freed’s “Loom Video”, Mr. Anand was not even THESIS’ first
7 software engineer, as Mr. Anand’s declaration alleges. According to additional discovery
8 obtained by Plaintiff that this Court thus far is not permitting Plaintiff to use in filings, Mr.
9 Anand was a replacement software engineer.

10 Upon information and belief, the THESIS DEFENDANTS sought and obtained
11 extensions to the Scheduling Order to avoid turning over evidence that demonstrates the falsity
12 of their claims of an enforceable arbitration clause.

13 Upon information and belief, had THESIS DEFENDANTS’ counsel made any effort
14 whatsoever, they would have been aware of the existence of definitive proof that their motions
15 and the “supporting” declarations were false.

16 Plaintiff expended substantial time, effort, and resources to defeat the baseless claims
17 levied in THESIS DEFENDANTS’ motions to compel arbitration.

18 Upon information and belief, THESIS DEFENDANTS’ false claims endeavored to
19 dismiss the lawsuit to limit if not escape exposure for their tortious liability.

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1 **IV. LEGAL ANALYSIS**

2 **A. Plaintiff Has Demonstrated All Rule 11 Requirements to Warrant Sanctions**

3 Federal Rule of Civil Procedure 11(a) requires that all pleadings, motions, and other
4 filings be signed by an attorney of record or, if a party is unrepresented, by the party personally.

5 The signature constitutes a representation and certification:

6 that to the best of the person's knowledge, information, and belief, formed after an
7 inquiry reasonable under the circumstances:

8 (1) it is not being presented for any improper purpose, such as to harass,
9 cause unnecessary delay, or needlessly increase the cost of litigation;

10 (2) the claims, defenses, and other legal contentions are warranted by
11 existing law or by a nonfrivolous argument for extending, modifying, or
12 reversing existing law or for establishing new law;

13 (3) the factual contentions have evidentiary support or, if specifically so
14 identified, will likely have evidentiary support after a reasonable opportunity
15 for further investigation or discovery; and

16 (4) the denials of factual contentions are warranted on the evidence or, if
17 specifically so identified, are reasonably based on belief or a lack of
18 information.

19 Fed. R. Civ. P. 11(b). Sanctions may be imposed for a violation of Rule 11(b) if: (1) the
20 violator is served with a stand-alone motion for Rule 11 sanctions at least twenty-one days
21 before the motion is filed with the Court; (2) the challenged paper, claim, defense, contention,
22 or denial is not withdrawn or appropriately corrected during that time period; and (3) the
23 violator is given a reasonable opportunity to respond to the motion. Fed. R. Civ. P. 11(c)(1)
24 and (2). If a violation is found, sanctions may be awarded against the attorney who signed the
25 challenged document and/or the party who is responsible for the violation. Fed. R. Civ. P.
11(c)(1). If sanctions are imposed on an attorney, the attorney's law firm will be held jointly
and severally liable except in exceptional circumstances. *Id.*

A sanction imposed under Rule 11 must be limited to what suffices to deter repetition
of the conduct or comparable conduct by others similarly situated. The sanction may include

1 nonmonetary directives; an order to pay a penalty into court; or, if imposed on motion and
 2 warranted for effective deterrence, an order directing payment to the movant of part or all of
 3 the reasonable attorney's fees and other expenses directly resulting from the violation. Fed. R.
 4 Civ. P. 11(c)(4). Monetary sanctions may not be awarded against a represented party for
 5 violating Rule 11(b)(2). Fed. R. Civ. P. 11(c)(5)(A).

6 When, as here, "one party files a motion for sanctions, the court must determine
 7 whether any provisions of Rule 11(b) have been violated." *Warren*, 29 F.3d 1386, 1389 (9th
 8 Cir. 1994). The party moving for Rule 11 sanctions bears the burden to show why sanctions are
 9 justified. Fed. R. Civ. P. 11(c)(2) ("A motion for sanctions must be made separately from any
 10 other motion and must describe the specific conduct that allegedly violates Rule 11(b)"); *In re*
 11 *Cal. Bail Bond Antitrust Litig.*, 511 F. Supp. 3d 1031, 1052 (N.D. Cal. 2021) ("When Rule 11
 12 sanctions are party-initiated, the burden is on the moving party to demonstrate why sanctions
 13 are justified." (citation omitted)). If Rule 11(b) has been violated, the Court may impose
 14 sanctions. Fed. R. Civ. P. 11(c)(1); *Warren*, 29 F.3d at 1390; see also *Havensight Cap. LLC v.*
 15 *Nike, Inc.*, 891 F.3d 1167, 1174 (9th Cir. 2018) ("District courts can use Rule 11 to impose
 16 sanctions on any party that files a motion for an improper purpose or who does so without a
 17 legal or factual basis." (citation omitted)). However, Rule 11 sanctions are an extraordinary
 18 remedy to be exercised with extreme caution. *Operating Eng'rs Pension Trust v. A-C Co.*, 859
 19 F.2d 1336, 1345 (9th Cir. 1988); *Larez v. Holcomb*, 16 F.3d 1513, 1522 (9th Cir. 1994).

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 22 **B. The Motions to Compel Arbitration are Factually Frivolous and Not Well**
 23 **Grounded in Fact**

24 THESIS DEFENDANTS' Motions to Compel Arbitration are both factually frivolous
 25 (not 'well grounded in fact') and legally frivolous (not 'warranted by existing law or good faith

argument'). *Bus. Guides Inc. v. Chromatic Commc'ns Enters. Inc.*, 892 F.2d 802, 808 (9th Cir. 1989) (quoting Fed. R. Civ. P. 11)). The effort to dismiss this litigation was based on the patently false assertion of a required checkbox and hyperlinked terms and conditions. The THESIS DEFENDANTS provided absurd declarations purporting to recollect what a checkout page looked like without any factual basis, such as supporting code, archive, or cache. These declarations are provably false.

C. Sanctions Under Local Rule 11(c)(3) Are Warranted for THESIS DEFENDANTS' Bad Faith

Plaintiffs move for sanctions under Local Rule 11(c)(3). The rule provides:

An attorney or party who without just cause . . . presents to the court unnecessary motions or unwarranted opposition to motions, . . . or who otherwise so multiplies or obstructs the proceedings in a case may, in addition to or in lieu of the sanctions and penalties provided elsewhere in these rules, be required by the court to satisfy personally such excess costs and may be subject to such other sanctions as the court may deem appropriate.

Local Civ. R. 11(c)(3). The Ninth Circuit has “consistently upheld the power of the district court to sanction attorneys for violations of local rules.” *Zambrano v. City of Tustin*, 885 F.2d 1473, 1477 (9th Cir. 1989). This is particularly appropriate when the conduct rises to the level of bad faith. “Bad faith is present when an attorney knowingly or recklessly raises a frivolous argument . . . or argues a meritorious claim for the purpose of harassing an opponent.” *Bell v. Nat'l Credit Servs. Inc.*, No. 219CV01727RAJBAT, 2020 U.S. Dist. LEXIS 251899, 2020 WL 8832899, at *7 (W.D. Wash. Oct. 14, 2020), report and recommendation adopted, No. 219CV01727RAJBAT, 2021 U.S. Dist. LEXIS 46099, 2021 WL 928161 (W.D. Wash. Mar. 11, 2021) (quoting *Est. of Blas Through Chargualaf v. Winkler*, 792 F.2d 858, 860 (9th Cir. 1986)).

THESIS DEFENDANTS did more than err when they filed not one but two motions to compel arbitration. They turned a blind eye to the basic principles of investigating an assertion to

1 which they sign their name, reputation, and bar license. Federal Rule 11 requires “an inquiry
2 reasonable under the circumstances.” In the digital age, when archives exist and backups are the
3 rule, rather than the exception, it is wholly frivolous to allow a defendant to assert a position
4 about the state of a website when that position is contradicted by the data.

5 Mr. Freed’s fabrications are egregious. When a party submits fabricated evidence, it
6 warrants a finding of fraud upon the Court. *Multiscan Techs. USA, LLC v. Cohn*, 2024 U.S. Dist.
7 LEXIS 211362 (W.D. Wash. Nov. 20, 2024) (quoting *Kenno v. Colorado's Governor's Off. of*
8 *Info. Tech.*, 2021 U.S. Dist. LEXIS 121893, 2021 WL 2682619, at *19 (D. Colo. June 30, 2021)
9 (fabricated evidence is “the most egregious misconduct which justifies a finding of fraud upon
10 the Court.”). Mr. Freed was undeterred by this Court’s ruling that denied his first effort. He then
11 submitted a second false declaration and recruited his fellow equity stakeholders to submit their
12 own false affidavits. His conduct is repugnant and warrants the most significant sanctions this
13 Court may impose.

15 The conduct of their all-to-willing counsel to put forth patently false arguments and false
16 declarations is almost as egregious. Rule 11 requires a modicum of investigation into the
17 assertions contained in a pleading. Not only did THESIS DEFENDANTS’ counsel fail to look
18 into any matter beyond the self-serving declaration of the THESIS CEO, but also they declined
19 to obtain the proof of their client’s lies when they withdrew their request for the 22-page
20 declaration about which they were on notice since April 3, 2025.

22 The withdrawal of their second motion does not save them or their clients from the
23 egregious conduct. The first motion remains on record.

24 The THESIS DEFENDANTS’ Counsel has employed substantial delay tactics that
25 impugn a citizen’s right to obtain timely relief. At every turn, they have cajoled, ducked, and

1 weaved from their responsibilities undertaken under oath and by honor. Plaintiff's counsels and
 2 expert, have worked tirelessly to shed light on the truth, and despite their assertions during the
 3 parties' April 3, 2025, their conduct has engaged in anything but the same.

4 The responses to multiple motions to dismiss a federal case based on a fabricated
 5 arbitration agreement has been particularly costly to the Plaintiff and her attorneys, and to a
 6 system of justice that depends on the orderly good faith resolution of legal claims on their merits.
 7 At bare minimum, Plaintiff should be entitled to submit a declaration of fees and costs associated
 8 with these sanctions, with the appropriate lodestar analysis of time incurred and reasonable rate.
 9 In addition to the lodestar, the Plaintiff will offer support for a multiplier based on the relevant
 10 factors at issue, including the contingent nature of this case, and the complexity of the issues.
 11 These multipliers are particularly appropriate here, where the Plaintiff has been forced to detect
 12 and prove the falsification of evidence.
 13

14 **V. REQUESTED RELIEF**

15 For the reasons listed above, Plaintiff JOANN LEDOUX respectfully requests this
 16 Honorable Court grant severe sanctions against Mr. Dan Freed, the THESIS DEFENDANTS,
 17 and their Counsel (including Mr. Stuart Kaplan) for their egregious, dilatory, frivolous, and
 18 fabrications. As a remedy, Plaintiff requests the opportunity to submit a declaration in support
 19 of fees and costs, with the appropriate multiplier analysis, unless an amount is first stipulated to
 20 by the Defendants.
 21

22 DATED this 28th day of April, 2025.

23 ATTORNEYS FOR PLAINTIFFS

24 /s/ Jocelyn C. Stewart

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CERTIFICATE OF SERVICE

I hereby certify that on this date I caused true and correct copies of the foregoing document to be served upon the following, at the addresses stated below, via the court's CM/ECF notifications.

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PLAINTIFF'S MOTION FOR SANCTIONS - 15
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing
is true and correct.

Executed on April 28, 2025, in Monroe, Washington.


Jen L. Bassetti, Litigation Paralegal